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December 8, 2021

Hon. Andrew T. Baxter, U.S.M.J.  
United States Courthouse  
PO 7396  
Syracuse, NY 13261-7396

RE: Smith v. Mitchell, et. al.  
20 CV 1374 [GLS][ATB]

Dear Judge Baxter:

I represent the plaintiff in the above matter. There is a conference scheduled for December 13, 2021 at 11:00 a.m. I also represent this same plaintiff as a claimant in a Court of Claims matter. The parties in the Court of Claims case agreed to a Global Settlement of that and this case prior to the scheduled trial date of November 30, 2021. The Global Settlement includes the settlement of this action. The State recently provided me with its settlement papers. My client has agreed to this global settlement but I still need the Release and Medicare affidavit signed and notarized.

In light of the foregoing, and with the consent of counsel in this case, I would appreciate it if the Court could kindly adjourn the conference scheduled for next week for four weeks so that this matter can be finalized. At this point, based on my personal experience with Cossackie C.F. where Waddell Smith is incarcerated, it is now taking over three weeks to get official documents notarized.

Thank you for considering my request.

Respectfully,



ANDREW F. PLASSE

AFP/gjn

cc: Diane M. Perri Roberts  
Kasey Hildonen